

# City Council Agenda

Council President  
**Jerry Duncan**

Councilmembers

**Tom Boyajian**  
**Brian Calhoun, Ph.D.**  
**Mike Dages**

City Manager  
**Andrew T. Souza**

City Clerk  
**Rebecca E. Klisch, CMC**

**Henry T. Perea – Acting President**  
**Cynthia Sterling**  
**Larry Westerlund**

Interim City Attorney  
**James C. Sanchez**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

**May 16, 2006**

If you would like to speak fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on ([www.ci.fresno.ca.us](http://www.ci.fresno.ca.us)). The Council meeting can also be heard live at the same web site address, and viewed live on Cable Channel 96 from 8:30 a.m. and re-played beginning at 8:00 p.m.

## **8:30 A.M. ROLL CALL**

Invocation by Pastor Ara Guekguezian of the Pilgrim Armenian Congregational Church

Pledge of Allegiance to the Flag

### **Ceremonial Presentations:**

Proclamation of "CITY OF FRESNO BIKE WEEK" – Mayor Autry and All Councilmembers

Proclamation of "NATIONAL PUBLIC WORKS WEEK" – Mayor Autry and All Councilmembers

Proclamation of "FRESNO METROPOLITAN FLOOD CONTROL DISTRICT" – Councilmember Dages

Proclamation of "GARY NELSON AND LANCE OMEJE - TEACHERS OF THE YEAR" – Councilmember Sterling

Presentation of Recognition Awards to Students of District 7 – Acting President Perea

Recognition of International Baccalaureate Students from Fresno High School – Councilmember Boyajian

Council action on unscheduled items if any shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council there will first be a staff presentation followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.

The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Approve minutes of May 9, 2006

**Action Taken:**

Councilmember Reports and Comments

**Action Taken**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

1. **CONSENT CALENDAR**

(All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered at 11:00 a.m.

A. **RESOLUTION** - Authorizing application to the Corrections Standards Authority of the California Department of Corrections and Rehabilitation for the Juvenile Accountability Block Grants Program and completion of related documents - Police Dept.

**Action Taken:**

B. \* **RESOLUTION** - 78th amendment to AAR 2005-286 appropriating \$20,000 by authorizing the Chief of Police to accept the one-third share of the civil fines collected by the County of Fresno for tobacco violations that occur in the City (**Requires 5 affirmative votes**) – Police Dept.

**Action Taken:**

C. Authorize acceptance of the California Multi-jurisdictional Methamphetamine Enforcement Teams (CALMMET) 2006-07 grant pass-through award of \$200,100, and authorize the Chief of Police to enter the operational agreement and complete program documents – Police Dept.

**Action Taken:**

D. Awarding of interim requirements contracts for refuse trucks - General Services Dept./Fleet Management  
1. \* Award an interim requirements contract to Central Valley Truck Center of Fresno, for automated side loading refuse trucks

**Action Taken:**

2. \* Award an interim requirements contract to Central Valley Truck Center of Fresno, for front loading refuse trucks

**Action Taken:**

1. **GENERAL CONSENT CALENDAR CONTINUED**

- E. \* Award a requirements contract to Hughes Supply for tapping sleeves and tapping gate valves - Dept. of Public Utilities  
**Action Taken:**
- F. \* Award a construction contract to Kelly C. Broyles Construction, Inc. of Fresno, for wastewater collection system new access structures - Dept. of Public Utilities  
**Action Taken:**
- G. \* Award a contract to Roof Systems, Inc. d.b.a. Nations Roof West of Fresno to re-roof the lower roof of Saroyan Theater - General Services Dept.  
**Action Taken:**
- H. \* Award a contract to Bill Marvin Electric, Inc., for traffic signal modification at the intersection of First and Olive Avenues **(Property Located in District 7)** – Public Works Dept.  
**Action Taken:**
- I. **RESOLUTION** - Of intention to annex Final Tract No. 5251 to the City of Fresno Community Facilities District No. 2, Annexation No. 120, and setting the public hearing for June 20, 2006, at 10:00 a.m.#1 **(Property Located in District 3)** – Public Works Dept.  
**Action Taken:**
- J. **RESOLUTION** - Of intention to annex Final Tract No. 5300 to the City of Fresno Community Facilities District No. 2, Annexation No. 121, and setting the public hearing for June 20, 2006, at 10:00 a.m. #2 **(Property Located in District 3)** – Public Works Dept.  
**Action Taken:**
- K. **RESOLUTION** – Approving the Final Map of Tract No. 5171 and accepting dedicated public uses therein and authorize the Public Works and Planning and Development Director to execute the necessary documents – Planning and Development Dept.  
**Action Taken:**
- L. \* **RESOLUTION** - 77th amendment to the AAR No. 2005-286 appropriating \$220,000 for the purpose of UGM reimbursement from available funds to the Redevelopment Agency **(Requires 5 affirmative votes)**– Public Works Dept.  
**Action Taken:**
- M. Approval of downtown transportation and infrastructure study – Dept. of Transportation (FAX)  
**Action Taken:**
- N. Authorize the General Services Director to submit a proposal to the State of California to receive grant funding for the construction of a hydrogen fueling station at the City of Fresno Municipal Service Center - General Services Department /Fresno Area Express  
**Action Taken:**
- O. **RESOLUTION** - Of intention to annex Final Tract No. 5283 to the City of Fresno Community Facilities District No. 2, Annexation No. 123, and setting the public hearing for June 20, 2006, at 10:00 a.m. #3 **(Property Located in District 5)** – Public Works Dept.  
**Action Taken:**
- P. **RESOLUTION** - Authorizing an application to the National Park Service, Historic Preservation Grants Program, for a Preserve America Grant, and authorize the Mayor to sign on behalf of the City – Planning and Development Dept.  
**Action Taken:**
- Q. **BILL – (For introduction)** - Amending Subsection (a) of Section 7-523 of the Fresno Municipal Code relating to card room employees or potential employees – Police Dept.  
**Action Taken:**

2. **CITY COUNCIL**

- A. **RESOLUTION** - In support of additional above groundwater storage and expressing outrage of Assembly Speaker's treatment of Assemblyman Juan Arambula – Mayor Autry, Council President Duncan and Acting President Perea  
**Action Taken:**
- B. Council discussion and direction on vacant building inventory report in downtown Fresno – Councilmember Calhoun  
**Action Taken:**
- C. Request update from City Manager on the status of the Joint Public Safety Dispatch Center – Councilmember Calhoun  
**Action Taken:**

**SCHEDULED COUNCIL HEARINGS AND MATTERS**

9:00 A.M. A. **SCHEDULED COMMUNICATION –**

- B. **UNSCHEDULED COMMUNICATION** – Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least ten (10) days prior to the desired date.

9:15 A.M. **GENERAL ADMINISTRATION**

- A. \* Award an interim concession contract for operation and maintenance of Camp Fresno and Camp Fresno Jr. at Dinkey Creek, California to Dennis and Kimberly Beard - PR&CS  
**Action Taken:**
1. Discussion and direction to staff regarding awarding of the Camp Fresno Contract – Councilmember Boyajian  
**Action Taken:**
- B. \* Consider adoption of Bill No. B-64 - Amending the Fresno Municipal Code relating to required installation of automatic fire extinguishing system for all occupancies - Fire Dept.  
**Action Taken:**
1. **RESOLUTION** - Consider and adopt findings regarding local climatic, geological and topographical conditions that support amending the Uniform Fire Code and Uniform Building Code to require fire extinguishing systems in new residential occupancies as set forth in Bill No. B-64  
**Action Taken:**
2. \* **BILL NO. B-64 – (Intro. May 9, 2006) (For adoption)** - Amending the Fresno Municipal Code relating to required installation of automatic fire extinguishing system for all occupancies  
**Action Taken:**
- C. Progress report on Council direction to staff to meeting with public school districts and private high schools within the City of Fresno to increase the number of students attending post-secondary education – City Education Office  
**Action Taken:**

10:00 A.M. Direct staff to negotiate with Club One for fixed and/or reduced rate parking in City Garage No. 8 and return to Council with action options by City Attorney's Office – Councilmember Dages  
**Action Taken:**

## **SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED**

**10:15 A.M. #1** Presentation by Electronic Recyclers of Proceeds from Earth Day E-Waste Recycling Event

**Action Taken:**

**10:15 A.M. #2** **HEARING** regarding City of Fresno Community Facilities District No. 11, Annexation No. 7 – Final Tract Map No. 5406 (***Property located in District 1***) – Public Works Dept.

**Action Taken:**

a. **RESOLUTION** - Annexing territory to Community Facilities District No. 11 and authorizing the levy of a special tax

**Action Taken:**

b. **RESOLUTION** - Calling special mailed-ballot election

**Action Taken:**

c. **RESOLUTION** - Declaring election results

**Action Taken:**

d. \* **BILL** - Levying a special tax for the property tax year 2006-2007 and future tax years within and relating to Community Facilities District No. 11, Annexation No. 7

**Action Taken:**

**10:20 A.M.** **HEARING** to consider Rezone Application No. R-06-05, and environmental findings, filed by Yamabe and Horn on behalf of Lennar Fresno, Inc., pertaining to 0.65 acre of property located on the east side of S. Armstrong Avenue between E. Butler and E. Lowe Avenues (***Property located in District 5***) – Planning and Development Dept.

**Action Taken:**

a. Consider and adopt Environmental Assessment No. R-06-05/TPM-2006-04, Finding of Conformity to MEIR No. 10130 for the 2025 Fresno General Plan

**Action Taken:**

b. **BILL** – Amending the Official Zone Map to rezone the subject site from the AE-20 (*Exclusive Twenty Acre Agricultural*) zone district to the R-1 (*Single Family Residential*) zone district

**Action Taken:**

**10:30 A.M.** **HEARING** to consider Rezone Application No. R-06-07, and environmental findings, filed by the Housing Authorities of the City and County of Fresno, pertaining to approximately 0.25 acre of property located on the west side of “B” Street between Calaveras and Stanislaus Streets (***Property located in District 3***) – Planning and Development Dept.

**Action Taken:**

a. Consider and adopt Environmental Assessment No. R-06-07/V-06-02/TPM-2006-06, Finding of Conformity to MEIR No. 10130 for the 2025 Fresno General Plan

**Action Taken:**

b. **BILL** – Amending the Official Zone Map to rezone the subject site from the R-2-A/BA (*Low Density Multiple Family Residential, One Story/Boulevard Area*) zone district to the R-2/BA (*Low Density Multiple Family Residential/Boulevard Area*) zone district

**Action Taken:**

**10:35 A.M.** **HEARING** to consider Rezone Application No. R-05-88, and environmental findings, filed by Bun Ma, pertaining to approximately 1.60 net acres of property located on the east side of N. Brawley Avenue between W. Shields and W. Dakota Avenues (***Property located in District 1***) – Planning and Development Dept.

**Action Taken:**

a. Consider and adopt Environmental Assessment No. R-05-88/T-5453, Finding of Conformity to MEIR No. 10130 for the 2025 Fresno General Plan

**Action Taken:**

b. **BILL** – Amending the Official Zone Map to rezone the subject site from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district

**Action Taken:**

## **SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED**

11:00 A.M. #1 **CONTESTED CONSENT CALENDAR**

11:00 A.M. #2 **CLOSED SESSION**

**A. CONFERENCE WITH LEGAL COUNSEL-DECIDING WHETHER TO INITIATE LITIGATION**

Government Code Section 54956.9, subdivision (c)

1. **Case Name:** City of Fresno v. Valley Pool Plastering, Inc.

**Action Taken:**

**B. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code**

Section 54956.9, subdivision (a)

1. **Case Name:** City of Fresno v. Garfield Park Highlands, et al.

**Action Taken:**

2:00 P.M. Presentation by Mayor Autry of the Fiscal Year 2007 Budget

**Action Taken:**

2:30 P.M. **JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve Agency minutes of May 2, 2006

**Action Taken:**

**A. Discussion and action relating to the Convention Center Redevelopment Project Area**

1. **RESOLUTION** - Making Certain Findings pursuant to Section 33445 of the Community Redevelopment Law authorizing the Agency's installation of public improvements within the Convention Center Redevelopment Project Area for the installation of a water main and other improvements in "O" Street between Santa Clara and Ventura Streets **(Council and Agency)**

**Action Taken:**

2. Award contract to West Valley Construction for the installation of a 12" Water Main in "O" Street between Santa Clara and Ventura Streets and water and sewer connections in Ventura Avenue to facilitate the construction of the courthouse for the 5th District Court of Appeals within the Convention Center Redevelopment Project Area **(Agency action)**

**Action Taken:**

**B. Discussion and action relating to the Southeast Fresno Revitalization Redevelopment Project Area**

1. **RESOLUTION** - Making certain findings pursuant to Section 33445 of the Community Redevelopment Law, and authorizing the installation of public improvements **(Council/Agency)**

**Action Taken:**

2. Award contract to the A-C Electric Company for traffic signal modifications at the Cedar-Jensen Bypass in the Southeast Fresno Revitalization Redevelopment Project Area **(Agency action)**

**Action Taken:**

**C. Approve purchase and sale agreements for property located at 134 E. Geary and 155-157 E. Geary in the Southwest Fresno GNRA Hope VI Redevelopment Project Area and authorize the Executive Director to execute the agreements and take all actions necessary to accept conveyance and carry out the agreements **(Property Located in District 3) (Agency action)****

**Action Taken:**

## **SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED**

2:30 P.M.

### **JOINT MEETING WITH THE REDEVELOPMENT AGENCY CONTINUED**

- D. Approve selection of potential owner participants in the Chinatown Redevelopment Project:
1. Approve Respondent No. 35, Ronald Smith (Attachment "A") as potential owner participant (candidate for possible owner participation agreement) in the Chinatown Redevelopment Project, and direct the Executive Director or her designee to use best efforts to negotiate an owner participation agreement with Mr. Smith, subject to review and approval the agreement by the Agency Board **(Agency action)**  
**Action Taken:**
  2. Approve Respondents Nos. 1 thru 34 (Attachment "A") as potential owner participants (candidates for possible owner participation agreements) in the Chinatown Redevelopment Project; and direct the Executive Director or her designee to use best efforts to negotiate an owner participation agreement with each of the selected participants, subject to review and approval of each agreement by the Agency Board **(Agency action)**  
**Action Taken:**

### **ADJOURN AGENCY**

## **SCHEDULED COUNCIL HEARINGS AND MATTERS**

May	23 -	NO MEETING	
May	23 -	10:00 A.M.#1	HEARING re: Community Facilities District No. 2, Annexation No. 118, Tract No. 5326 <b>(Continued to June 6, 2006 at 10:00 a.m.#1)</b>
May	23 -	10:00 A.M.#2	HEARING re: Community Facilities District No. 2, Annexation No. 119, Final Tract Maps No. 5374 and 5313 <b>(District 5) (Continued to June 6, 2006 at 10:00 a.m. #2)</b>
May	23 -	10:15 A.M.	HEARING To consider the adoption of a resolution vacating a portion of the intersection of W. Bellaire Avenue and N. Milburn Avenue <b>(Located in District No. 1) (Continued to June 6, 2006 at 10:15 a.m.)</b>
May	23 -	10:40 A.M.#1	HEARING re: Community Facilities District No. 11, Annexation No. 3, Tract No. 5352 <b>(Continued to June 6, 2006 at 10:40 a.m. #1)</b>
May	23 -	10:40 A.M.#2	HEARING re: Community Facilities District No. 11, Annexation No. 6, Tract No. 5530 <b>(Continued to June 6, 2006 at 10:40 a.m. #2)</b>
May	23 -	10:45 A.M.	HEARING re: adoption of resolutions amending the schedule of costs and fees related to the Storm Drainage master Plan – Public Works Dept. <b>(Continued to June 6, 2006 at 10:45 a.m.)</b>
May	23 -	2:35 P.M.	Consider the acquisition of parcels encompassing 22,374 square feet at the northeast corner of Divisadero and Glenn Avenues for the development of a community youth center for the Parks, Recreation and Community Services Department and environmental findings <b>(Continued to June 6, 2006 at 2:35 p.m.)</b>
May	23 -	2:45 P.M.	Report to Council from Fresno's Chaffee Zoo Corporation on the status of the zoo transition – City Manager's Office <b>(Continued to June 6, 2006 at 2:45 p.m.)</b>
May	23 -	3:00 P.M.	HEARING re: Rezone Application No. R-05-86, filed by Provost and Pritchard Engineering Group <b>(Continued to June 6, 2006 at 3:00 p.m.)</b>
May	23 -	3:15 P.M.	HEARING re: Rezone Application No. R-05-63, filed by George Goddard <b>(Continued to June 6, 2006 at 3:15 p.m.)</b>
May	30 -	NO MEETING –	MEMORIAL DAY
June	6 -	10:00 A.M.#2	CONTINUED HEARING re: Community Facilities District No. 2, Annexation No. 118, Tract No. 5326
June	6 -	10:00 A.M.#3	CONTINUED HEARING re: Community Facilities District No. 2, Annexation No. 119, Final Tract Maps No. 5374 and 5313 <b>(District 5)</b>
June	6 -	10:15 A.M.	CONTINUED HEARING To consider the adoption of a resolution vacating a portion of the intersection of W. Bellaire Avenue and N. Milburn Avenue <b>(Located in District No. 1)</b>
June	6 -	10:40 A.M.#1	CONTINUED HEARING re: Community Facilities District No. 11, Annexation No. 3, Tract No. 5352
June	6 -	10:40 A.M.#2	CONTINUED HEARING re: Community Facilities District No. 11, Annexation No. 6, Tract No. 5530

# **SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED**

June	6 -	10:45 A.M.	<b>CONTINUED HEARING</b> re: adoption of resolutions amending the schedule of costs and fees related to the Storm Drainage master Plan – Public Works Dept.
June	6 -	11:00 A.M.	<b>FRESNO JOINT POWERS FINANCING AUTHORITY (JPFA) HEARING</b> - Consider the Issuance by the of its Lease Revenue Bonds "Convention Center Improvement Projects" Series 2006 for the purpose of financing various Convention Center Capital Improvement Projects – Finance Dept.
June	6 -	2:35 P.M.	Consider the acquisition of parcels encompassing 22,374 square feet at the northeast corner of Divisadero and Glenn Avenues for the development of a community youth center for the Parks, Recreation and Community Services Department and environmental findings
June	6 -	2:45 P.M.	Report to Council from Fresno's Chaffee Zoo Corporation on the status of the zoo transition – City Manager's Office
June	6 -	3:00 P.M.	<b>CONTINUED HEARING</b> re: Rezone Application No. R-05-86, filed by Provost and Pritchard Engineering Group
June	6 -	3:15 P.M.	<b>CONTINUED HEARING</b> re: Rezone Application No. R-05-63, filed by George Goddard
June	13 -	10:00 A.M.	<b>CONTINUED HEARING</b> to consider Rezone Application No. R-05-61, filed by Centex Homes on behalf of Damrong and Somluck Pattanumotana and Ahmed Khaled
June	20 -	10:00 A.M.#1	<b>HEARING</b> re: Community Facilities District No. 2, Annexation No. 120, Tract No. 5251
June	20 -	10:00 A.M.#2	<b>HEARING</b> re: Community Facilities District No. 2, Annexation No. 121, Tract No. 5300
June	20 -	10:00 A.M.#3	<b>HEARING</b> re: Community Facilities District No. 2, Annexation No. 123, Tract No. 5283
June	27 -	10:00 A.M.	<b>HEARING</b> re: Community Facilities District No. 2, Annexation No. 122, Tract No. 5169
July	4 -	<b>NO MEETING – COUNCIL VACATION</b>	
July	11-	<b>NO MEETING – COUNCIL VACATION</b>	
July	20 -	8:30 A.M.	<b>JOINT MEETING</b> with the County Board of Supervisors regarding Police/Sheriff merging of Services at <b>Cornerstone Conference Center</b>

## **FY 2006-2007 BUDGET HEARINGS – (SUBJECT TO CHANGE)**

<b>Dates</b>		<b>Time</b>	<b>Departments</b>	<b>Location</b>
May	31 -	6:00 p.m. - 8:30 p.m.	Economic Dev., City Attorney & City Clerk	Woodward Park Library
June	7 -	6:00 p.m. – 8:30 p.m.	Public Works Department	Fresno High
June	8 -	6:00 p.m. – 8:30 p.m.	Planning & Dev., Airports	Hoover High
June	12-	6:00 p.m. – 8:30 p.m.	Parks, Personnel	Edison High
June	14-	6:00 p.m. – 8:30 p.m.	Police ISD	Bullard High
June	15-	6:00 p.m. – 8:30 p.m.	Dept. of Public Utilities	Fresno Art Museum
June	19-	6:00 p.m. – 8:30 p.m.	Transportation, GSD & Finance	Mosqueda Center
June	21 -	9:00 a.m. – 5:30 p.m.	Fire Department	City Hall
June	21-	9:00 a.m. – 5:30 p.m.	Mayor	City Hall
June	21-	9:00 a.m. – 5:30 p.m.	City Manager	City Hall
June	21-	9:00 a.m. – 5:30 p.m.	City Council	City Hall
June	21-	9:00 a.m. – 5:30 p.m.	General City Purpose, RDA	City Hall
June	21-	9:00 a.m. – 5:30 p.m.	CDBG/ESG/Home	City Hall
June	22-		Council Budget Adoption	City Hall
June	30-		Final Day to Adopt Budget	City Hall



